



ENTERED
12/07/2009

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re

EXPRESS ENERGY SERVICES
OPERATING, LP, et al.,

Debtors.

§
§
§
§
§
§
§
§
§
§

Chapter 11

Case No. 09-38044

Jointly Administered

**ORDER PURSUANT TO SECTION 365(a) OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULES 6006 AND 9014 GRANTING THE DEBTORS'
THIRD OMNIBUS MOTION TO REJECT CERTAIN EQUIPMENT LEASES**

[Related to Docket No. 102]

Upon the motion (the "Motion")¹ of Express Energy Services Operating, LP and its affiliated debtors in the above referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors"), pursuant to section 365(a) of title 11 of the United States Code (the "Bankruptcy Code") and Rules 6006 and 9014 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), for an order rejecting, as of November 14, 2009, the equipment leases identified on Exhibit A to this Order (the "Leases"), all as is more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and upon consideration of the Motion and the requested relief being a core proceeding the Court can determine pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion and the hearing thereon has been provided pursuant to this Court's Order dated October 29, 2009 (Docket No. 39) on the Master Service List (as defined therein), all parties entitled to receive notice of this Motion

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

under the Bankruptcy Rules or the Bankruptcy Local Rules for the Southern District of Texas, and all counterparty to the Leases, and that no other or further notice need be provided; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is ORDERED that

1. The Motion is GRANTED as set forth herein.
2. Pursuant to section 365(a) of the Bankruptcy Code, each of the Leases identified on Exhibit A to this Order is hereby rejected, effective as of November 14, 2009.
3. The counterparty to the Leases may file proofs of claim asserting any damages arising from the rejection of the Leases on or before 5:00 p.m. (prevailing Central Time) thirty (30) days after entry of this Order.
4. The Debtors shall serve a copy of this Order on the counterparty to the Leases and/or its respective attorneys (if known) within three business days of entry of this Order.
5. This Court hereby retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

Dated: December 7, 2009
Houston, Texas



HONORABLE JEFF BOHM
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

Counterparty	Counterparty's Address	Debtor	Lease Account Numbers
De Lage Landen Financial Services, Inc.	1111 Old Eagle School Road Wayne, PA 19087	Express Energy Services Operating, LP	24866192, 2875996, 24870278, and 24870286